

FILED

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CLERK, US DIST. COURT
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BY _____
DEPUTY

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOANNE LECZNAR,
Plaintiff,
vs.

E.F. HUTTON & COMPANY AND
DESIGNATED AFFILIATES' LTD
EMPLOYEE BENEFITS PLAN;
LEHMAN BROTHERS INC.
COMPREHENSIVE MAJOR
MEDICAL PLAN; LEHMAN
BROTHERS INC. GROUP LIFE
INSURANCE AND TEMPORARY
DISABILITY PLAN,
Defendants.

CASE NO. 1:05CV143OWWLJO

STIPULATION RE: DISMISSAL
WITHOUT PREJUDICE; AND
[PROPOSED] ORDER THEREON

1 IT IS HEREBY STIPULATED by and between the Plaintiff Joanne Lecznar and
2 Defendants Lehman Brothers Inc. Group Life Insurance and Temporary Disability
3 Plan and Lehman Brothers, Inc. Comprehensive Major Medical Plan, through their
4 designated counsel, that the above-captioned action be and is hereby dismissed
5 without prejudice as to Defendants Lehman Brothers Inc. Group Life Insurance and
6 Temporary Disability Plan and Lehman Brothers, Inc. Comprehensive Major
7 Medical Plan pursuant to FRCP 41 (a) (1). Each of the parties shall bear its own
8 costs and attorneys' fees. This Stipulation shall not affect Plaintiff's claims against
9 the E.F. Hutton & Company and Designated Affiliates' LTD Employee Benefits
10 Plan.

11 DATED: July 7, 2005

ETHAN LIPSIG
STEPHEN H. HARRIS
PAUL, HASTINGS, JANOFSKY & WALKER LLP

14 By: 

STEPHEN H. HARRIS

Attorneys for Defendants
LEHMAN BROTHERS INC. GROUP LIFE INSURANCE
AND TEMPORARY DISABILITY PLAN and LEHMAN
BROTHERS INC. COMPREHENSIVE MAJOR MEDICAL
PLAN

19 DATED: July 2, 2005

ROBERT J. ROSATI

22 By: 

ROBERT J. ROSATI

Attorneys for Plaintiff
JOANNE LECZNAR

25 IT IS SO ORDERED:

26 DATED: 8-4-2005


The Honorable Oliver W. Wanger
United States District Court Judge

PROOF OF SERVICE

STATE OF CALIFORNIA

CITY AND COUNTY OF LOS ANGELES

} ss:

I am employed in the City and County of Los Angeles, State of California. I am over the age of 18, and not a party to the within action. My business address is 515 South Flower Street, Twenty-Fifth Floor, Los Angeles, California 90071-2228.

On August 2, 2005, I served the foregoing document(s) described as:

STIPULATION RE: DISMISSAL WITHOUT PREJUDICE; AND [PROPOSED] ORDER THEREON

on the interested parties by placing thereof in a sealed envelope(s) addressed as follows:

Robert J. Rosati, Esq.
2055 San Joaquin Street
Fresno, CA 93721

Michael B. Bernacchi, Esq
Galton & Helm LLP
500 South Grand Avenue, Suite 1200
Los Angeles, CA 90071



VIA OVERNIGHT MAIL:

VIA _____: By delivering such document(s) to an overnight mail service or an authorized courier in a sealed envelope or package designated by the express service courier addressed to the person(s) on whom it is to be served.



VIA U.S. MAIL:

I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under that practice such sealed envelope(s) would be deposited with the U.S. postal service on August 2, 2005 with postage thereon fully prepaid, at Los Angeles, California.



VIA PERSONAL DELIVERY:

I personally delivered such sealed envelope(s) by hand to the offices of the addressee(s) pursuant to CCP § 1011.

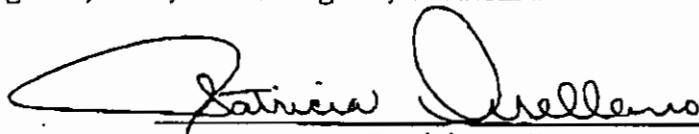


VIA FACSIMILE:

The facsimile transmission report indicated that the transmission was complete and without error. The facsimile was transmitted to Facsimile # _____ on August 2, 2005 at _____. A copy of that report, which was properly issued by the transmitting machine, is attached hereto. [Permitted by written agreement of the parties.]

I declare under penalty of perjury under the laws of the United States that the above is true and correct.

Executed on August 2, 2005, at Los Angeles, California.



Patricia Arellano

STIPULATION RE: DISMISSAL WITHOUT
PREJUDICE; AND [PROPOSED] ORDER
THEREON